

REMARKS

By this Amendment, Applicants amend claim 1 to more clearly define the features of the present invention. Applicants submit that the claim amendments do not introduce new matter and are supported by the specification (see, e.g., paragraphs 0028 ("via the persistence API"); see also FIG. 1 and claim 4).

In the Office Action on page 5, the Examiner alleges that specification does not expressly define the "persistent interface." Applicants submit that the specification does indeed describe the "persistence interface" recited in claim 1. For example, paragraph 0028 of the specification expressly describes "persistence API." See, also, FIG. 1. Therefore, it is clear from the specification that the persistence interface may be implemented as an API, and that the persistence interface serves as an interface to a persistent aspect of the system, such as the metamodel repository, and one of ordinary skill would recognize this to be the case.¹

In the Office Action, the Examiner rejected claims 1-6 under 35 U.S.C. §102(a) as anticipated by John Poole, Model-Driven Data Warehousing, copyright 2003 (John). Applicants respectfully traverse this rejection.

John discloses model-driven warehousing including a data warehouse administration console coupled by a connection to a JMI-Enabled Metadata Service, which apparently loads a metamodel and generates a repository. John, pages 14-15. However, John is completely silent with respect to the mechanisms involved with the

¹ Applicants note that there is no statute or rule requiring that each claim term be expressly defined in the specification. On the contrary, M.P.E.P. 2111.01 states "[T]he ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, i.e., as of the effective filing date of the patent application. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313. (Fed. Cir. 2005) (en banc)."

loading of the metamodel or metadata for that metamodel, much less a "persistence interface between the connector and the metamodel repository," as recited in claim 1. Moreover, the claimed "persistence interface" is implemented as an application programming interface (API) "interfacing persistent components of the system including the metamodel repository." The persistence interface is also "configured to provide instances of metadata and associations between metadata according to the instantiated MOF compliant service." The "metadata" being received from the "metadata resource via a resource-specific application programming interface corresponding to the metadata resource," as recited in claim 1. All of these noted features of the claimed "persistence interface" are conspicuously absent from John.

Instead of the claimed "persistence interface" with the above-noted features, John at page 26 merely describes a "JMI Enabled Metadata Service" and the use of a "connection and JMI Reflective API Calls" for making calls to that service. However, John's use of a "connection and JMI Reflective API Calls" cannot possibly constitute the "persistence interface" including its features recited in claim 1.

Moreover, John actually teaches away from claim 1 since John's "JMI Enabled Metadata Service" is implemented as a so-called "black box" lacking disclosure with regards to aspects within that black box, much less any of the claimed features of claim 1 including, for example, "a persistence interface implemented between the connector and the metamodel repository and configured to instantiate via the resource-specific application programming interface at least one MOF compliant service for the connector based on one of the MOF models in the metamodel repository, the persistence interface implemented as an application programming interface, the persistence interface interfacing persistent components of the system including the metamodel repository, the

persistence interface configured to provide instances of the metadata and associations between the metadata according to the instantiated MOF compliant service."

In view of the foregoing, John fails to disclose at least the following feature of claim 1: "a persistence interface implemented between the connector and the metamodel repository and configured to instantiate via the resource-specific application programming interface at least one MOF compliant service for the connector based on one of the MOF models in the metamodel repository, the persistence interface implemented as an application programming interface, the persistence interface interfacing persistent components of the system including the metamodel repository, the persistence interface configured to provide instances of the metadata and associations between the metadata according to the instantiated MOF compliant service."

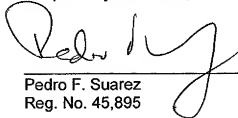
Therefore, claim 1 is not anticipated by John, and the rejection under 35 U.S.C. §102(a) of claim 1 and claims 2-6, at least by reason of their dependency from independent claim 1, should be withdrawn.

CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. No fee is believed to be due, however, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-089/2003P00568US.

Respectfully submitted,



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